



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/721,862

11/25/2000

Paul Lapstun

NPT008USUS

3962

24011

7590

03/31/2003

SILVERBROOK RESEARCH PTY LTD  
393 DARLING STREET  
BALMAIN, 2041  
AUSTRALIA

EXAMINER

NGUYEN, KIMBERLY D

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/721,862

Applicant(s)

LAPSTUN ET AL.

Examiner

Kimberly D. Nguyen

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

### *Preliminary Amendment*

2. Acknowledgment is made of Preliminary Amendment filed 18 June 2001.

### *Specification*

3. The abstract of the disclosure is objected to because
  - Line 7: "(Figure 7) should be deleted.Correction is required. See MPEP § 608.01(b).
4. The disclosure is objected to because of the following informalities:
  - Page 1, lines 19 and 29: "USSN" should be spelled out.
  - Page 2, lines 5, 16 and 36: "USSN" should be spelled out.
  - Page 7, lines 6, 7 and 8: Actual serial numbers should be filled on the blank spaces.
  - Page 8, lines 18, 23 and 24: Actual serial numbers should be filled on the blank spaces.
  - Page 9, line 12: Actual serial number should be filled on the blank space.
  - Page 9, line 25: "Netpage Publication servers 14" should be changed to "Netpage Application server 13", according to figure 2.
  - Page 13, line 28: Actual serial number should be filled on the blank space.
  - Page 19, line 8: Actual serial number should be filled on the blank space.Appropriate correction is required.

*Claim Rejections - 35 USC § 102*

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Sekendur (US 5,477,012).

Sekendur teaches a region having coded data thereon (fig. 1 ), wherein at least some of the coded data includes indicative of a functional attribute of a part of the region, i.e., the coded data includes means for indicating X-Y coordinates (figs. 1-5; col. 2, line 21 through col. 3, line 42; col. 4, lines 15-59).

Re claims 15: Sekendur teaches a sensing device 8 (fig. 6) for use with a region having coded data thereon, at least some of the coded data including data indicative of a functional attribute of a part of the region, the sensing device for sensing and reacting to data indicative of a functional attribute of a part of the region (figs. 1-6; col. 2, line 21 through col. 3, line 42; col. 4, lines 15-59; col. 4, line 60 through col. 5, line 10).

Re claim 16: Sekendur teaches a sensing device, wherein the sensing device provides at least one indication to a user (such as handwriting recognition, signature verification, or finger print recognition (col. 3, lines 5-16)) when it senses data indicative of a functional attribute of a part of the region.

Re claim 17: Sekendur teaches the sensing device, wherein the indication is selected from the group comprising a visual, aural, haptic, tactile, vibratory and any other human sensory modality, wherein handwriting recognition, signature verification, or finger print recognition (col. 3, lines 5-16) serves as visual indication.

Art Unit: 2876

Re claim 18: Sekendur teaches the sensing device, wherein the sensing device senses data indicative of a functional attribute of a part of the region, the sensing device transmits, to a computer system 16 (fig. 6), the sensed data or data based at least partially on the sensed data.

Re claims 19-20: Sekendur teaches a system including:

computer-system/personal computer (fig. 6), and

a sensing device 8 (fig. 6) for use with a region having coded data thereon (fig. 1), at least some of the coded data including data indicative of a functional attribute of a part of the region (col. 3, lines 5-16; col. 4, lines 15-59),

the sensing device for sensing data indicative of a functional attribute of a part of the region and for transmitting, to the computer system, the sensed data or data based at least partially on the sensed data (fig. 6; col. 2, line 62 through col. 3, line 4),

wherein the computer system executes, or commences execution of, a function related to the functional attribute of the sensed data (figs. 6-7; col. 5, lines 36-39).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Burns et al. (US 5,442,147) teaches position sensing apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 703-305-1798. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone numbers for the

Application/Control Number: 09/721,862


Page 5

Art Unit: 2876

organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-8792.

KDN  
March 24, 2003

  
**MICHAEL G. LEE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**